

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

SELENA PERKINS	§	
v.	§	CIVIL ACTION NO. 6:10cv486
CHRISTOPHER MCDOWELL	§	
SANDU INVESTMENT DBA		
WOODCREEK ATHLETIC CLUB	§	

ORDER OF DISMISSAL

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends Defendants' Motion to Dismiss Based on Federal Rule of Civil Procedure 12(b)(6)(document [#13](#)) be granted and the claims against Defendants be dismissed with prejudice. Plaintiff filed written objections to the Report and Recommendation on December 30, 2010.

Having made a *de novo* review of the written objections filed by Plaintiff, the Court finds that the findings and conclusions of the Magistrate Judge are correct and the objections are without merit. The Court, therefore, adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

ORDERED that Defendants' Motion to Dismiss Based on Federal Rule of Civil Procedure 12(b)(6)(document [#13](#)) is **GRANTED**. It is **ORDERED** that the above-entitled action is **DISMISSED** with prejudice.

So ORDERED and SIGNED this 6th day of January, 2011.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**